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Remarks

This paper is being provided in response to the Restriction Requirement mailed January 10, 2007, for the above-referenced application. As noted above, Applicant elects the following species:

Uses of system: (b) tissue engineering;
Insoluble materials: (f) gelatin;
Bioactive materials: (l) protein;
Binders: (j''') sugar;
Plasticizers: (p''') polyethylene glycol;
Disaggregant: (a''') cross-linked synthetic polymer;
Manner of shielding: (o''') granulation;
Photopolymerization means: (j''') visible radiation;
Drug delivery system: (q''') dissolution-controlled systems;


for purposes of examination. Further, Applicant submits herein a preliminary amendment in which the claims amended for the purpose of clarification and in accordance with the guidelines as set forth in the Restriction Requirement. Claims 2, 4-5, 7-11, 13-20, 23-24, 34-38, 40-47, 50-51, 63-72, and 75-76 have been withdrawn. Claims 22, 26, 28-29, 31, 49, 53, 55-57, 59, 61, 74, and 80-81 have been amended. Therefore, Claims 1, 3, 6, 12, 21-22, 25-33, 39, 48-49, 52-62, 73-74, and 77-81 are currently pending. Applicant respectfully submits that the amendments to the claims do not add new subject matter.

Applicant makes this restriction with traverse, and respectfully requests that the restriction requirements be reconsidered. For example, Applicant respectfully submits that the following non-limiting list of drug delivery systems are not patentably distinct: granules from capsules; human cells from animal cells from stem cells from immortalized cells; nanoparticles from nanospheres from solid lipid nanoparticles; and microparticles from microspheres. Further, the binders sucrose, glucose, dextrose, molasses, and lactose are not patentably distinct from the species sugar. Applicant respectfully submits that there would be no undue burden on the Examiner to search all of the species falling within the scope of the independent claims.

Based upon the above, Applicant respectfully requests that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4054.

Respectfully submitted,

Dated: 4/23/07


Stacy Blasberg
Registration Number: 52,625

CHOATE, HALL & STEWART, LLP
Two International Place
Boston, Massachusetts 02110
Tel (617) 248-5000
Fax (617) 248-4000

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